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June 13, 2013

VIA FACSIMILE

The Honorable William H. Pauley III
U.S. District Court for the
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Hard Rock Cafe International (USA), Inc. v.*
Hard Rock Hotel Holdings, LLC et al., 10 CV 7244 (WHP)

Dear Judge Pauley:

I write on behalf of plaintiff in the above referenced action to request, unfortunately, that the case be restored to the Court's calendar because the parties have been unable to conclude the settlement they entered into at the end of April.

Plaintiff has agreed in all respects to separate settlement agreements with the defendants that owned and operated the Las Vegas Hard Rock Hotel & Casino and with the defendants that created and broadcast the television program "Rehab" that is at issue in this case. Our client has signed all of the papers created to document both settlements. A stipulation dismissing all of plaintiff's claims against the "Rehab" defendants has been signed and filed with the Court simultaneously with the transmission of this correspondence.

The problem, as we understand it, is that a separate agreement between the two sets of defendants has not yet been finalized and that there is an issue between them to which they have yet to agree. Because today is the deadline by which plaintiff had to request restoration of the case to the Court's docket, and because this dispute between the two sets of defendants is preventing the final resolution of the case, we have no choice other than to request that the case be restored.

It is our belief that a conference with the Court at which client representatives for both sets of defendants are required to appear in person may spur a resolution of this case. Accordingly, we respectfully request that such a conference be scheduled as soon as possible, and counsel for plaintiff will be prepared to attend as well.

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Respectfully Submitted,



Bruce R. Ewing

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cc: All Counsel of Record (via electronic mail)